

MINUTES
CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY

JULY 17, 2013

Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932

CLOSED SESSION MEETING – 4:45 P.M.
REGULAR MEETING – 6:00 P.M.

CLOSED SESSION CALL TO ORDER BY MAYOR

MAYOR JANNEY called the Closed Session Meeting to order at 4:48 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Patton, Bilbray, Spriggs (arrived at 5:07 p.m.)
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	Bragg
Staff present:	Acting City Manager Wade; City Attorney Lyon; City Clerk Hald

CLOSED SESSION

MOTION BY BILBRAY, SECOND BY PATTON, TO ADJOURN TO CLOSED SESSION UNDER:

1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6:

Agency Representative: City Manager

Employee Organizations: Imperial Beach Firefighters' Association (IBFA), Local 4692
Service Employees International Union (SEIU), Local 221
Unrepresented Employees
Management

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2)

One (1) potential case

Facts and circumstances pursuant to Government Code Section 54956.9(e)(3). The claim is on file with the City Clerk's office.

3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4)

No. of Potential Cases: 1

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2)

Eleven (11) potential cases

Facts and circumstances pursuant to Government Code Section 54956.9(e)(3). The claims are on file with the City Clerk's office.

MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	BILBRAY, PATTON, BRAGG, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	SPRIGGS

CITY ATTORNEY LYON announced Councilmember Spriggs had a potential conflict of interest on Closed Session Item No. 4 due to the location of his residence.

MAYOR JANNEY adjourned the meeting to Closed Session at 4:49 p.m. and he reconvened the meeting to Open Session at 6:00 p.m.

Reporting out of Closed Session, CITY ATTORNEY LYON stated the following:

- Closed Session Item No. 4 – Councilmember Spriggs did not participate. The rest of the City Council voted unanimously to reject all claims.
- Closed Session Item Nos. 1-3 – Direction was given and no reportable action was taken.

REGULAR MEETING CALL TO ORDER

MAYOR JANNEY called the Regular Meeting to order at 6:01 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present:	Patton, Bilbray, Spriggs
Councilmembers absent:	None
Mayor present:	Janney
Mayor Pro Tem present:	Bragg
Staff present:	Acting City Manager Wade; City Attorney Lyon; City Clerk Hald

PLEDGE OF ALLEGIANCE

MAYOR JANNEY led everyone in the Pledge of Allegiance.

AGENDA CHANGES

None.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

MAYOR PRO TEM BRAGG reported on her attendance at the IB Chamber of Commerce Sundowner event hosted by Dames Day Spa.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

None.

PRESENTATIONS (1.1-1.2)

**1.1 PRESENTATION ON SANDAG/MTS TROLLEY RENEWAL PROJECT.
(0140-40 & 0680-85)**

ERIC ADAMS, Senior Project Manager for SANDAG, gave a PowerPoint presentation on the improvements planned for the Blue Line. He noted that construction will last approximately five to eight months at each station, there will be a phased construction schedule to minimize disruption to Trolley riders, and all stations will remain open during construction.

1.2 SDG&E SUMMER OUTLOOK PRESENTATION. (0820-70)

RISA BARRON, Local Outreach Manager for SDG&E, gave a PowerPoint presentation on the item. She reported on the ways SDG&E expects to meet summer demands. She spoke about an increase in SDG&E's electric rates going into effect this year and customers in Tiers 3 and 4 will carry the burden of these electric rate increases. She responded to questions of City Council regarding renewable energy requirements and AB 327. She offered to give a similar presentation to the IB Chamber of Commerce.

PUBLIC COMMENT

CHUCK QUISENBERRY suggested that the City utilize the electric mobile sign to inform the public about upcoming City Council meetings.

CONSENT CALENDAR (2.1-2.11)

The following documents were submitted as Last Minute Agenda Information:

- Item No. 2.9 – Staff report
- Item No. 2.10 – A revised staff report

MOTION BY SPRIGGS, SECOND BY BILBRAY, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1 THRU 2.11. MOTION CARRIED UNANIMOUSLY.

2.1 MINUTES.

Approved the minutes of the Regular City Council Meeting of June 5, 2013 and the Special City Council Meetings of June 24 and 28, 2013.

2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)

Ratified the following registers: Accounts Payable Numbers 82656 through 82796 for a subtotal amount of \$1,268,593.39 and Payroll Checks/Direct Deposit 45329 through 45357 for a subtotal of \$148,988.09 for a total amount of \$1,417,581.48.

2.3 RESOLUTION 2013-7359 AUTHORIZING THE CITY MANAGER TO RENEW AN AGREEMENT WITH THE COUNTY OF SAN DIEGO FOR THE LEASE OF THE SHERIFF SUB-STATION AND SURROUNDING AREA FOR TRAILERS AND PARKING. (0260-10 & 0910-50)

Adopted resolution.

2.4 RESOLUTION NO. 2013-7358 RATIFYING THE CITY MANAGER'S SIGNATURE ON THE AGREEMENT WITH D.A.R. INC. FOR THE REMOVAL OF DEAD ANIMALS LOCATED ON PUBLIC PROPERTY WITHIN THE CITY OF IMPERIAL BEACH, CA. (0200-50)

Adopted resolution.

2.5 RESOLUTION NO. 2013-7362 AUTHORIZING THE CITY MANAGER TO RATIFY AND APPROVE AN AGREEMENT WITH KEENAN & ASSOCIATES FOR A HEALTH CARE REFORM IMPACT STUDY. (0500-90)

Adopted resolution.

2.6 RESOLUTION NO. 2013-7354 APPROVING AND ADOPTING THE SIDE LETTER AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND IMPERIAL BEACH FIREFIGHTERS' ASSOCIATION, LOCAL 4692 (IBFA). (0540-50)

Adopted resolution.

- 2.7 RESOLUTION NO. 2013-7365 APPROVING THE FIRST AMENDMENT TO THE NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND SPRINT FOR MODIFICATIONS TO EXISTING TELECOMMUNICATION FACILITIES LOCATED AT 827 IMPERIAL BEACH BOULEVARD (CITY HALL COMPLEX). (0800-50 & 0910-10)**
Adopted resolution.
- 2.8 RESOLUTION NO. 2013-7366 APPROVING THE FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF IMPERIAL BEACH AND VERIZON WIRELESS, LLC, FOR MODIFICATIONS TO EXISTING TELECOMMUNICATION FACILITIES LOCATED AT 825 IMPERIAL BEACH BOULEVARD (CITY HALL COMPLEX). (0800-50 & 0910-10)**
Adopted resolution.
- 2.9 RESOLUTION 2013-7367 AUTHORIZING MAYOR TO APPOINT AN INTERIM CITY MANAGER, IF NECESSARY, AND TO EXECUTE ANY REQUIRED DOCUMENTS TO IMPLEMENT SUCH APPOINTMENT. (0530-60)**
Adopted resolution.
- 2.10 RESOLUTION NO. 2013-7355 APPROVING CHANGE ORDER NO. 1, CDBG FY 12/13 IMPERIAL BEACH BLVD. PEDESTRIAN CROSSWALK PROJECT NO. S13-101. (0650-33 & 0750-30)**
Adopted resolution.
- 2.11 AUTHORIZATION TO CONTRACT FOR A CONSULTANT TO RECRUIT AN ADMINISTRATIVE SERVICES DIRECTOR. (0550-05)**
Authorized the City Manager to hire a consultant to recruit an Administrative Services Director for a fee not to exceed \$19,500 plus reimbursable expenses.

ORDINANCES – INTRODUCTION/FIRST READING/PUBLIC HEARING (3)

None.

ORDINANCES – SECOND READING/ADOPTION (4)

None.

PUBLIC HEARINGS (5)

None.

REPORTS (6.1-6.8)

- 6.1 CONSIDERATION OF RESOLUTION NO. 2013-7368 APPOINTING THE NEW CITY MANAGER, APPROVING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER, AND AUTHORIZING THE MAYOR TO EXECUTE THE EMPLOYMENT AGREEMENT. (0530-60)**

A staff report was submitted as Last Minute Agenda Information.

MAYOR JANNEY reported on the item.

MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2013-7368 APPOINTING THE NEW CITY MANAGER, APPROVING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER, AND AUTHORIZING THE MAYOR TO EXECUTE THE EMPLOYMENT AGREEMENT.

MAYOR JANNEY reviewed the selection process, gave an overview of Andy Hall's qualifications and summarized some of the employment benefits offered to Mr. Hall.

VOTES WERE NOW CAST ON ORIGINAL MOTION BY PATTON, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2013-7368 APPOINTING THE NEW CITY MANAGER, APPROVING THE EMPLOYMENT AGREEMENT WITH THE CITY MANAGER, AND AUTHORIZING THE MAYOR TO EXECUTE THE EMPLOYMENT AGREEMENT. MOTION CARRIED UNANIMOUSLY.

6.2 RESOLUTION NO. 2013-7364 APPROVING THE FACILITIES LONG RANGE MAJOR MAINTENANCE PLAN. (0910-90)

ACTING CITY MANAGER WADE introduced the item.

GUY NELSON, Environmental Program Specialist, gave a PowerPoint presentation on the item.

PUBLIC WORKS DIRECTOR LEVIEN responded to questions of City Council regarding the condition of the synthetic turf at the Soccer Field, the condition of the rubber surfaces at the tot lots, and how staff determines priority for maintenance/repair. He noted that safety concerns raise projects to the top of the list. Other projects can be deferred with temporary repairs until funding is available. He stressed that the objective is to establish funding for long range major maintenance.

MOTION BY BRAGG, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2013-7364 APPROVING THE FACILITIES LONG RANGE MAJOR MAINTENANCE PLAN. MOTION CARRIED UNANIMOUSLY.

6.3 RESOLUTION NO. 2013-7360 ENACTING CHANGES IN TIME RESTRICTIONS TO STREET PARKING SPACES ALONG PALM AVENUE, SEACOAST DRIVE AND IMPERIAL BEACH BOULEVARD, INCLUDING STREET SWEEPING.(0760-95)

ACTING CITY MANAGER WADE introduced the item.

PUBLIC SAFETY DIRECTOR CLARK reported on the item.

CHUCK QUISENBERRY expressed concern about the City making a profit through the issuance of parking tickets combined with the proposed parking changes. He stated that participants of the public input meetings were opposed to making changes to the parking regulations on Seacoast Drive. He noted that should the parking changes get approved, he would boycott every business that supported the parking changes. He was opposed to making parking changes by resolution and asked City Council to postpone their decision on the item at this time to allow for more public input (additional time donated by FRED QUISENBERRY).

AL WISELEY opposed the item.

City Council discussion ensued regarding the proposed parking changes. There was support for staff to return to City Council with more information on the matter and to include a graphic display showing the locations of the proposed changes. Following the discussion of the Regional Water Quality Control Board's mandate to require street sweeping, there was support for bringing back parking restrictions specific to Citywide street sweeping rather than in small segments. Staff was asked to consider parking enforcement with minimal street signage, to address parking that will move into the neighborhoods as a result of changes to parking

regulations, and to determine why the parking spaces in front of Pier Plaza are restricted to 20 minutes.

ACTING CITY MANAGER WADE stated that it is essential to balance the needs of the business community and the residents, while taking into consideration the long term vision for Seacoast Drive and Old Palm Avenue. The General Plan, adopted in 1994, calls for the C-2 Seacoast Commercial Zone to be a visitor serving, retail destination that caters to visitors, tourists and residents of the community. Similarly, the Vision Plan calls for a vibrant area that both visitors and residents can come to enjoy the beach and businesses. The item before City Council initiates a dialog about how to balance the competing interests of providing parking for the businesses that have sufficient turnover to promote business activity as well as providing for long enough parking for those who want to come to the beach. Additionally, with the completion of the new hotel, he questioned how the City should position itself to be most responsive to all the needs of the zone: the tourists, the visitors, the residents and those that stay at the hotel. He stressed that when the vision is realized, the City will need to look at parking regulations as a comprehensive plan. He noted that when something is taken away from the community that has been there for years, there will be some concern. Tonight a conversation has been initiated on a topic that needs to be held. If the long term vision for Seacoast Drive is to be a thriving district, then there is a need to look at regulated parking to promote that kind of atmosphere yet also provide parking for beachgoers.

PUBLIC SAFETY DIRECTOR CLARK thanked City Council for their direction. Staff will explore options for balancing the objectives and return with street sweeping regulations as a separate item.

6.4 RESOLUTION NO. 2013-7363 APPROVING INSTALLATION OF A DEMONSTRATION (TEMPORARY) ROUNDABOUT PROJECT AND APPROPRIATION OF \$10,000 FOR THE DESIGN AND INSTALLATION OF A DEMONSTRATION PROJECT. (0720-90)

ACTING CITY MANAGER WADE introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint on the item and asked City Council to direct staff to proceed with a demonstration project at 13th Street and Elder Avenue or 9th Street and Donax Ave.

CHUCK QUIZENBERRY spoke in opposition to traffic circles and claimed that it is an unnecessary expenditure of funds.

CONGRESSMAN BILBRAY spoke in support for traffic circles noting that fuel consumption and emissions would be reduced. He also stated that traffic circles are more efficient than the most sophisticated traffic signals and could help reduce traffic accidents.

City Council discussed the possible locations for a temporary roundabout. Concerns were raised regarding the limitation of roundabouts and whether it is possible to install a roundabout at a major intersection in Imperial Beach to deal with the real issues of long waits, the burning of fuel, and stoppage of a lot of cars. There was apprehension about installation near schools and a suggestion to keep the installation simple.

MAYOR PRO TEM BRAGG stated that she is not in support of roundabouts. However, she favored the temporary location at 9th Street and Donax Avenue.

MOTION BY BILBRAY, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2013-7363 APPROVING INSTALLATION OF A DEMONSTRATION (TEMPORARY) ROUNDABOUT PROJECT AT 9TH STREET AND DONAX AVENUE AND APPROPRIATION OF \$10,000 FOR THE DESIGN AND INSTALLATION OF A DEMONSTRATION PROJECT. MOTION CARRIED UNANIMOUSLY.

6.5 RESOLUTION NO. 2013-7361 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF CHULA VISTA FOR PROVISION OF ANIMAL CONTROL AND SHELTERING SERVICES FOR THE CITY OF IMPERIAL BEACH. (0200-50)

COUNCILMEMBER PATTON left the the Council Chambers at 6:41 p.m.

ACTING CITY MANAGER WADE introduced the item.

PUBLIC SAFETY DIRECTOR CLARK reported on the item.

MOTION BY JANNEY, SECOND BY BILBRAY, TO ADOPT RESOLUTION NO. 2013-7361 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF CHULA VISTA FOR PROVISION OF ANIMAL CONTROL AND SHELTERING SERVICES FOR THE CITY OF IMPERIAL BEACH. MOTION CARRIED BY THE FOLLOWING VOTE:

AYES:	COUNCILMEMBERS:	SPRIGGS, BILBRAY, BRAGG, JANNEY
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	PATTON

6.6 ELM AVENUE (SEACOAST DRIVE TO 7TH STREET) REPAIRS PLAN. (0720-25)

ACTING CITY MANAGER WADE introduced the item.

COUNCILMEMBER PATTON returned to the Council Chambers at 6:45 p.m.

PUBLIC WORKS DIRECTOR LEVIEN gave a PowerPoint presentation on the item. He responded to questions of City Council regarding public outreach efforts.

In response to Councilmember Spriggs' concern about a potential conflict between the time of the workshops and the work schedule for school officials, COUNCILMEMBER PATTON suggested that the Principal of the school appoint a school representative to attend the workshops.

6.7 RESOLUTION NO. 2013-7357 AWARDED A PUBLIC WORKS CONTRACT; TO WIT – BAYSHORE BIKEWAY ACCESS (S12-101) AND PUBLIC WORKS YARD RENOVATIONS (F05-101) CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT. (0680-20 & 0910-30)

ACTING CITY MANAGER WADE introduced the item.

PUBLIC WORKS DIRECTOR LEVIEN reported on the item

MOTION BY BRAGG, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2013-7357 AWARDED A PUBLIC WORKS CONTRACT; TO WIT – BAYSHORE BIKEWAY ACCESS (S12-101) AND PUBLIC WORKS YARD RENOVATIONS (F05-101) CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT. MOTION CARRIED UNANIMOUSLY.

6.8 HISTORIC REPOSITORY. (0160-50)

ACTING CITY MANAGER WADE introduced the item and announced that a letter of support from Diane Rose was submitted as Last Minute Agenda Information.

COUNCILMEMBER BRAGG reported that following the death of Freda Elliot-Adams, she received numerous historical documents, pictures and other artifacts related to the history of Imperial Beach. She supported the establishment of an historic repository for the purpose of storing, collecting and preserving the historical items. She suggested that the historical items be housed at the media room located at the Senior Center and naming it the Adams-Robbins Archive Room.

City Council discussion ensued. Other suggested locations included the new IB library and the IB Adult School. Concern was raised regarding the ownership of the historical items and there was a recommendation to offer the items on loan. There was a suggestion to have high school students catalog and digitize the historical information and to have Senior Citizens volunteer as docents.

MAYOR JANNEY stated that the immediate need right now is to look into how the City can accept the historical items. He noted that to look at facilities would take more effort.

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (7)

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

None.

ADJOURNMENT

Mayor Janney adjourned the meeting at 9:16 p.m.

_____/s/
James C. Janney, Mayor

_____/s/
Jacqueline M. Hald, MMC
City Clerk